



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

UNDER SECRETARY FOR COMMERCE AND INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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LAWRENCE M LAVIN JR  
PATENT DEPARTMENT E2NA  
MONSANTO COMPANY  
800 N LINDBERGH BOULEVARD  
ST. LOUIS MO 63167

#9

In re Application of  
Joseph R. Byrum et al  
Serial No.: 09/669,817  
Filed: September 26, 2000  
Attorney Docket No.: 38-21(51469)B

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: WITHDRAWAL OF ABANDONMENT  
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This is in response to the petition under 37 CFR 1.181, filed May 27, 2003, requesting withdrawal of the holding of abandonment of the above identified application.

A review of the file history shows that the Office of Petitions mailed a petition decision on October 9, 2001, requiring applicants to provide the Office with two additional compact disks containing sequence listings in lieu of paper copies, setting a time period of two months within which to comply. The application was then returned to OIPE to await the filing. OIPE mailed a Notice of Abandonment to applicants on September 9, 2002, for failure to comply with the Notice of Missing Parts mailed January 8, 2001. However, this Notice was superseded by the petition decision noted above. Applicants timely filed the required compact disks on December 7, 2001, thus fulfilling the requirements of the petition and Missing Parts Notice. In view of the evidence presented, the Notice of Abandonment was mailed in error and is withdrawn and the application restored to pending status with the mailing of this decision.

Applicants' petition is **GRANTED**.

**The application will be forwarded to OIPE for completion of preexamination processing and then forwarded for examination.**

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.

  
John Doll

Director, Technology Center 1600